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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS

J.N JAN 2 2 2008 JAN 22 2008 MICHAEL W. DOBBINS CLERK, U.S. DISTRICT COURT

PACIFIC FREIGHT EXPRESS,

Plaintiff

ν.

MIDWEST AIR TECHNOLOGIES, INC.

08CV475 JUDGE DARRAH MAG. JUDGE COLE

Defendant

#### COMPLAINT

NOW COMES Plaintiff, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, by and through its attorneys, LAW OFFICES OF STEVEN D. GERTLER & ASSOCIATES, LTD., and in complaining of Defendant, MIDWEST AIR TECHNOLOGIES, INC., states as follows:

- 1. That this lawsuit is brought pursuant to Title 49 of the Untied States Code, including but not limited to Title 49 U.S.C. Chapter 135, Sec. 13501(a)(1).
- 2. That the Plaintiff sold and delivered goods and/or rendered services to the Defendant, including but not limited to freight shipment and rental equipment, as more fully set forth in Plaintiff's statement and invoices, a copy of which is attached hereto and made a part thereof as Exhibit A.
- 3. That after all just set-offs, payments and credits, there is due and owing for said goods and/or services to the Plaintiff by the Defendant, the sum of \$2328.24, which sum the Defendant has wrongfully refused and/or failed to pay, although requested to do so.

WHEREFORE, Plaintiff, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, prays for this Court to award Judgment for the Plaintiff and against the Defendant in the amount of \$2328.24, plus costs of suit.

LAW OFFICES OF STEVEN D. GERTLER & ASSOCIATES LTD

STEVEN D. GERRALAR Attorney for Plaintiff LAW OFFICES OF STEVEN D. GERTLER & ASSOC., LTD. Attorney for Plaintiff 415 N. LaSalle St., Ste. 402 Chicago, Illinois 60610 (312) 781-6868 Attorney No.42422

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PACIFIC FREIGHT

PAGE 82/82

AM 19706

TOTAL

# Pacific Freight Express, Inc. A/R Aging Quict/Zoom As of July 28, 2006

	Туре	Date	Num	Name	Open Balance
M	DWEST AIR TECH	INOLOGIES			
	Involce	12/21/2004	134195	MIDWEST AIR TECHNOLOGIES	438.82
	Invoice	12/21/2004	134197	MIDWEST AIR TECHNOLOGIES	315.00
	Invoke	2/9/2005	134752	MIDWEST AIR TECHNOLOGIES	647.00
	Invoice	2/18/2005	134882	MIDWEST AIR TECHNOLOGIES	200,00
	Invoice	2/28/2005	135312	MIDWEST AIR TECHNOLOGIES	170.00
	invoice	3/1/2005	134932	MIDWEST AIR TECHNOLOGIES	315.00
	Invoice	3/1/2005	134933	MIDWEST AIR TECHNOLOGIES	110.28
	Involce	3/1/2005	135506	MIDWEST AIR TECHNOLOGIES	\$11,39
	involce	3/15/2005	195156	MIDWEST AIR TECHNOLOGIES	55.00
K C	Involce	3/16/2005	135285	MIDWEST AIR TECHNOLOGIES	60.9
	nvoice	3/15/2005	136200	MIDWEST AIR TECHNOLOGIES	12.60
	Involce	3/21/2005	135229	MIDWEST AIR TECHNOLOGIES	53,88
	Invoice	3/22/2005	135248	MIDWEST AIR TÉCHNOLOGIES	27.91
	Invoke	3/22/2005	135257	MIOWEST AIR TECHNOLOGIES	60.40
	Involce	2/22/2005	135243	MIDWEST AIR TECHNOLOGIES	29.14
4	Involce	3/29/2005	125245	MIDWEST AIR TECHNOLOGIES	78.2
_	/nvoice	3/22/2005	135264	MIDWEST AIR TECHNOLOGIES	10.00
-	Invoice	3/25/2008	195277	MIDWEST AIR TECHNOLOGIES	56,83
	Involce	3/28/2005	135300	MIDWEST AIR TECHNOLOGIES	12.0
	Involce	3/30/2005	135345	MIDWEST AIR TECHNOLOGIES	351.5
	Invoice	3/31/2005	135309	MIDWEST AIR TECHNOLOGIES	38.09
	Invoice	4/1/2005	135338	MIDWEST AIR TECHNOLOGIES	100.00
	Invoice	4/5/2005	135358	MIDWEST AIR TECHNOLOGIES	56.87
	Invoice	4/5/2005	135359	MIDWEST AIR TECHNOLOGIES	354.01
	invoice	4/5/2005	135404_	MIDWEST AIR TECHNOLOGIES	255.03
_	Invoice	4/7/2005	135352	MIDWEST AIR TECHNOLOGIES	284.30
<b>₹</b>	Invoice	4/11/2005	135690	MIDWEST AIR TECHNOLOGIES	225.00
	Invoice	4/12/2006	135446	MIDWEST AIR TECHNOLOGIES	221.20
	Invoice	4/12/2005	135470	MIDWEST AIR TECHNOLOGIES	475.00
	Invoice	4/15/2005	135462	MIDWEST AIR TECHNOLOGIES	406,13
	Involce	4/18/2005	135771	MIDWEST AIR TECHNOLOGIES	129.94
	Invoice	4/19/2005	135473	MIDWEST AIR TECHNOLOGIES	138,20
	Invoice	4/20/2005	135528	MIDWEST AIR TECHNOLOGIES	87.40
	Invoice	4/20/2005	188782	MIDWEST AIR TECHNOLOGIES	638.00
	Involce	4/27/2005	135562	MIDWEST AIR TECHNOLOGIES	035,VL
	invoice	6/6/2005		MICWEST AIR TECHNOLOGIES	125.60 282.00
	Invoice	5/9/2005	135090	MIDWEST AIR TECHNOLOGIES	1,370.40
	Invoice	5/17/2005	135577	MIDWEST AIR TECHNOLOGIES	
	invoice	8/27/2005	135935	MIDWEST AIR TECHNOLOGIES	558.40 709.10
	Invoice	6/1/2005	139214		728,10
				MIDWEST AIR TECHNOLOGIES	200.00
	invoice Invoice	8/2/2005	138455	MIDWEST AIR TECHNOLOGIES	759.00
	Invoice Invoice	10/21/2005	137516	MIDWEST AIR TECHNOLOGIES	450.00
	Invoice	11/7/2006	137736	MIDWEST AIR TECHNOLOGIES	715,00

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07/19/2006 16:48 2866829531 PACIFIC FREIGHT PAGE 82/87 HAZMAT: LOAD F: HT03160602 the a Physical and a Pacific Fraght Expres DUPDITE: 0 MVOICE #: 12528 E MYOICE DATE: 3116/06 TMP: 16190 <u> 19141.4MT: 41,460-02</u> Commercial country (1) of 10 cs (2) years are supply PICKUP AT INDIWEST AIR TECHNOLOGIES 4500 SOUD ST CT SW LAKEWOOD, WA 98488 DELVER TO HOME DEPOT #4700 1335 FONES ALT CLYMPIA, WA CHAD! DELINER TO NOME DEPOT #4725 GEO 771 AVE CONTRIENT. WA MINESZ DELINER TO HOME DEPOT \$4007 1728 NJANTZEN BEACH CENTER PORTLAND, OR 97210 DELIVER TO KOME DEPOT #4018 4401 SW 14TH AVE BEAVERTON, DR 1970016 DELIVER TO SIK COUNTRY FEED & SUPPLY 250 MAN STREET PARET HOME, OR 67386 THE PARTY AND ADDRESS OF THE PARTY AND ADDRESS OF THE PARTY AND PUDE ŒΤΥ DESCRIPTION BL# MEIRHT MATE CHARGE 800 TAD LOAD 24,318 TAR THE PARTY OF PERSONS ASSESSED. PLICEL αTY DESCRIPTION NEP J RATE CHARRES SOUL FOO \$0.19 PER BALL \$181.B2

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MACINA MEIGHT EXPRESS, DIC 2708 HAMFORD STREET, BUTTE 117 SEATTLE, WA 20134 200/002/0020 FAX 200/002/0031 07/19/2006 16:40

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PACIFIC FREIGHT

PAGE 01/07

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Page Number: 1 of 1
Cautamer No.s 220 TY

Invaline Amount: \$17.40

Remit to: XTRA Lease PO Box 99262 Chicago IL 60693-9262 United Bistos

Excluse your respirance, payable to ETA Louis with this payment congress. On your resultiones, plants indicate to which involve(k) you with this payment to be applied.

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		02/23/05	02/23/05	\$7.40 WA
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Invoice No.: 00942028 Invoice Date: 03/15/05 Contempt No.: 220TY

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Sub Total: Total Tex: PLEASE REMIT TRUS AMOUNT UND:

\$ \$7,40 \$ 0,00

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For Enquiries or Correspondence XTRA-Lease 1186 140th Aug Summer, WA 92390 (253) 863-2239

Thank you!

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PACIFIC FREIGHT

PAGE 01



HAZMAT: 🗆 LOAD #: PF0322061 TRALER #: 579754 EXPERITE: C TMP: 18250

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PAGE 101 E INVOICE DATE: 8/28/05

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3123/05	DELIVER TO HOME DEPOT #4013	19120 BE WASHINGTON ST	<b>PORTLANO,</b> OR 97216
\$ 3122/06	DELIVER TO HOME DEPOT #4004	11833 NE BLEN WIDING DR	POKTLANO, DA 97220

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MIDWEST ARI TECHNOLOGIES ATTN: ACCOUNTS PAYABLE 625 BARCLAY BOULEVARD LINCOLNSHIRE, IL 20088

REMUT:

PACIFIC FREIGHT EXPRESS, INC. 270 8 KANFORD STREET, SUITE 112 SEATTLE, WA 98134 208/982-9535 FAX 206/882-8531

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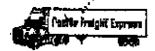
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PAGE 82



3/23/05

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**BILL TO:** 

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PACIFIC FREIGHT

PAGE 84



HAZMAT: () EXPEDITE: CO TMP: 18333

LOAD #: PF0330-05-03 TRAKER #: 151238

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O 3/31/05 PICKUP AT MIDWEST AIR TECHNOLOGIES #4708 DELIVER TO HOME DEPOT #4708 ● 3/31/04 DELIVER TO HOME DEPOT #4725 3/31/08 DELIVER TO HOME DEPOT #4738. STATES DELIVER TO HOME DEPOT #4010 ● 3/31/05 DELIVER TO HOME DEPOT #4014

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BILL TO:

TABLE THE

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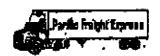
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#### PACIFIC FREIGHT

PAGE 81/14



HAZMAT: U LOAD #: PF04069501 EXPEDITE: U TRAILER #: 378465 TMP: 18421

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O 4/7/05 ● 4/7/05	PICKUP AT MIDWEST AM TECHNOLOBIES DELIVER TO HOME DEPOT #4708	4500 92HD 87 CT \$4 1345 FORE RD	LAKEWOOD, WA 08488 OLYMPIA, WA 98501
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<ul><li>47/05</li></ul>	DELIVER TO HOME DEPOT#4028	3800 W 6TH ST	THE DALLES, OR 87058
<b>47/06</b>	DELIVER TO HOME DEPOT 44725	610 7TH AVE	LÇMBYIEW, WA BB852
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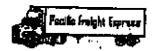
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PACIFIC FREIGHT

PAGE 02



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BILL TO:

MIDWEST AIR TECHNOLOGIES ATTN: ACCOUNTS PAYABLE 625 BARCLAY BURLEYARD LINCOLNAIMITE, IL BOOST

REMIT:

PACIFIC FREIGHT EXPRESS, INC 270 S HANPORD STREET, SUITE 112 SEATTLE, WA BE184 208/882-9531 FAX 208/882-9551

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PACIFIC FREIGHT

PAGE 12/14

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PAGE 81/82

KAZMAT: [] EXPEDITE: [] TMP: 19626

LOAD #: PF0427-08-2

iMVOICE #: 136602 TOTAL AMT: 61,274.00 INVOICE DATE: 4/27/05

4/27/05 PICKUP AT MIDWEST AIR TECHNOLOGIES
 4/27/05 DELIVER TO HOME DEPOT #47/18
 4/27/05 DELIVER TO HOME DEPOT #47/18

580 7TH AVE 6601 NE ANORESEN HO 25101 BE STARK ST

4500 92ND ST CT 6W

LAKEWOOD, WA 88498 LONGVIEW, WA 98432 YANGCIJVER, WA 88666 TROUTDALE, OR 97080

PAY THIS AMDOUNT

O 4/27/05 DELIVER TO HOME DEPOT #4014 25101 BE STARK ST O 4/27/05 DELIVER TO BURBS FEED STORE, INC. 28215 BE DRIENT DAIVE

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PUDEL OTY DESCRIPTION

BLF WEIGHT HAVE CHARGES

FLAT \$840.00

DESCRIPTION REF / RATE CHARGES 0 840.0 FUEL BURCHARGE \$0.19 PER UNIT 1189.50 0 40 ator \$50.00 PER UNIT \$200.00 ø 1.0 TARPING FLAT **\$76.00** 

FREIBHT CHARGES: 4840.08 + ACCESSORIAL GHARGES: \$434.40 - FOFAL CHARGES \$1,274 EU.

BILL TO:

16020-7MP ATTIK AI

MIOWEST AIR TECHNOLOGIER ATTW: ACCOUNTS PAYABLE 625 BARCLAY BOULEYARD UNCOLNSHIRE, IL BOORS REMIT:

PACIFIC FREIGHT EXPRESS, INC 270 8 HANFORD STREET, SISTE 112 BEATTLE, WA 98194 206/882-8586 FAX 206/682-9631